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Request for the inclusion of a supplementary item in the agenda of the sixty-third session

Observer status in the General Assembly for the Global Fund to Fight AIDS, Tuberculosis and Malaria

Note verbale dated 15 August 2008 from the Permanent Mission of France to the United Nations addressed to the Secretary-General and the President of the General Assembly

The Permanent Mission of France to the United Nations presents its compliments to the Secretary-General and to the President of the General Assembly and has the honour, on behalf of the Member States of the European Union, to request, in accordance with article 14 of the Rules of Procedure of the General Assembly, the inclusion in the agenda of the sixty-third session of a supplementary item entitled "Observer status in the General Assembly for the Global Fund to Fight AIDS, Tuberculosis and Malaria".

The Secretary-General and the President of the General Assembly will find an explanatory memorandum and a draft resolution attached to this letter.

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Annex I

Explanatory memorandum

Historical background

1. The Global Fund to Fight AIDS, Tuberculosis and Malaria was established in 2002 following calls in 2001 by the Secretary-General and the General Assembly of the United Nations for the establishment of such a fund. It was established as an independent, public-private partnership Swiss Foundation and a quasi-international organization to provide financial support to the global fight against the epidemics of HIV/AIDS, tuberculosis and malaria in low- and middle-income countries highly affected by these diseases. The Global Fund currently has the status of a full public international organization in Switzerland and the United States.

Purpose

2. According to the Framework Document of the Global Fund: "The purpose of the Fund is to attract, manage and disburse additional resources through a new public-private partnership that will make a sustainable and significant contribution to the reduction of infections, illness and death, thereby mitigating the impact caused by HIV/AIDS, tuberculosis and malaria in countries in need, and contribute to poverty reduction as part of the Millennium Development Goals."

Membership

3. The Global Fund is a partnership of Governments, civil society, private sector corporations and foundations, and communities of persons affected by the three diseases. A total of 44 countries have contributed financial resources to the Global Fund, and the Global Fund has made grants to 136 countries in Africa, Asia, Australia, Europe, and Latin America and the Caribbean.

Organizational structure

4. The Global Fund functions through the Board, a Secretariat headed by an Executive Director, the independent Technical Review Panel, the Partnership Forum, and an independent Office of the Inspector-General.

(a) The Board of the Global Fund consists of representatives of donor and recipient Governments, non-governmental organizations, the private sector (including businesses and foundations) and communities affected by the three diseases. Key international development partners — the World Health Organization (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Bank — are also members of the Board, and the World Bank also serves as the Global Fund's trustee. The Board is the decision-making organ of the Global Fund.

(b) The Secretariat is responsible for the day-to-day operations of the Global Fund, including mobilizing resources from the public and private sectors, managing grants, providing financial, legal and administrative support, and reporting information on the Global Fund's activities to the Board and the public.

(c) The Technical Review Panel reviews eligible grant proposals for technical merit including soundness of approach, feasibility, and potential for

sustainability and, on the basis of this review, recommends proposals for funding to the Board.

(d) The Partnership Forum meets every two years, bringing together a broad range of global stakeholders to discuss Global Fund performance and to make recommendations on its strategy and effectiveness.

(e) The Office of the Inspector-General operates as an independent unit of the Global Fund, reporting directly to the Board. The primary purpose of the Office of the Inspector-General is to provide the Global Fund with independent and objective oversight to ensure the integrity and effectiveness of its programmes and operations including compliance with policies and procedures.

Finance

5. The Global Fund is funded by contributions from Governments, corporations and foundations, usually through multi-year pledges. The Global Fund has a Voluntary Replenishment Mechanism, and the current replenishment period is 2008-2010. Total pledges and contributions to the Global Fund through 2010 amount to US$ 20 billion, with approximately $11 billion paid in.

Activities

6. The Global Fund provides financing to programmes for the prevention, treatment and care of HIV/AIDS, tuberculosis and malaria through funding cycles in which it issues periodic calls for proposals from multisector partnerships of Governments, civil society and private sector partnerships in highly affected developing countries, evaluates these proposals, and disburses funds to Board-approved proposals.

7. The Global Fund has so far committed $11 billion to programmes in 136 countries in seven funding rounds. As the Global Fund is a performance-based funding institution, funding follows performance, with funds disbursed only upon proof of performance with initially disbursed tranches of funds. The Fund has so far disbursed approximately $6 billion. A total of 60 per cent of the resources of the Global Fund have gone to support prevention, treatment and care programmes in Africa; 20 per cent have gone to Asia, and the rest to Latin America and the Caribbean and to Eastern Europe.

8. The Global Fund has its headquarters in Geneva, and has no country offices. It relies on its partnerships with other development and technical partners, civil society and the private sector to support countries in delivering effective programmes and services to communities in need. These programmes evolve from national plans and are developed by implementing countries rather than the Global Fund. The programmes are developed by Global Fund Country Coordination Mechanisms, which are independent, national-level multisector partnerships that reflect the global partnership structure of the Global Fund. Less than 3 per cent of annual commitments by the Global Fund are utilized for the central management of the Global Fund each year.

9. A number of principles guide the operations and activities of the Global Fund. The Fund operates as a financial instrument, not an implementing entity. It makes available and leverages additional financial resources to support programmes that reflect national ownership. The Fund operates in a balanced manner in terms of

regions (reflecting the burden of diseases and consequent demand from each region), diseases and interventions, and pursues an integrated and balanced approach to prevention and treatment. It evaluates proposals through independent review processes, and operates transparently, with accountability.

10. In comparison to other sources of funding, Global Fund resources provide 25 per cent of global financing for the fight against HIV/AIDS, 65 per cent of the global financing for malaria interventions, and 65 per cent for tuberculosis. A total of 61 per cent of Global Fund resources go to HIV/AIDS programmes, 25 per cent to malaria, and 14 per cent to tuberculosis.

11. The Global Fund has achieved significant global impact in the fight against these pandemics in the six years of its existence: financing by the Global Fund has put 2 million people on treatment for HIV/AIDS, 4 million on treatment for tuberculosis, and provided 60 million insecticide-treated bed nets to prevent malaria in Africa and Asia.

12. The current focus of the Global Fund is to scale up its impact even further in relation to the needs created by the three diseases. To this end, the Fund is working with its partners to mobilize markedly increased demand for its financial resources by highly affected countries in future funding rounds, and to support countries to increase their capacity to utilize these resources effectively.

Relations with other organizations

13. The Global Fund has requested observer status in the United Nations Economic and Social Council.

14. The Global Fund has signed a number of memorandums of understanding with its partners, UNAIDS and its 10 co-sponsors,[1] and the Stop TB Partnership to strengthen and deepen the close collaboration that exists between the Fund and these entities. The Global Fund has had an Administrative Services Agreement with the World Health Organization since 2002.[2] The Global Fund also has close collaboration with the United Nations Development Programme, which is an implementer of Global Fund-financed programmes in several countries, as well as with the Roll Back Malaria Partnership and the World Bank, which is the trustee of the Global Fund's resources and from where disbursements to Global Fund-financed programmes are made.

15. The Global Fund has been active in the work of a number of key platforms for major players in global health, working with other organizations towards harmonization, avoiding duplications, and clarifying the roles of each organization in this sphere of development. Examples include the Global Task Team on Improving AIDS Coordination among Multilateral Institutions and International

[1] Specific follow-up operational arrangements may be developed with individual UNAIDS co-sponsors as may be necessary, under the overarching framework of this memorandum of understanding.

[2] The Board of the Global Fund decided at its sixteenth meeting that the Administrative Services Agreement will be terminated on 31 December 2008, and also decided to explore alternative ways to ensure that the Global Fund and the United Nations system, including WHO, maintain strong partnership relations.

Donors and the H8, an informal group of the heads of the major global organizations playing leading roles in international public health.[3]

Reasons for seeking observer status for the Global Fund

16. The mandate of the Global Fund explicitly states that the Fund was established to contribute to the achievement of the Millennium Development Goals adopted by the General Assembly in 2000. The work of the Global Fund is directly related to the Millennium Development Goals that address issues of global health, as well as Millennium Development Goal 8 — to establish a global partnership for development. The Global Fund has established itself as the primary multilateral funding institution for Millennium Development Goal 6 (reversing the impact of HIV/AIDS and malaria).

17. There is movement towards annual review and accountability for progress towards achieving the Millennium Development Goals. The initiative of the President of the sixty-second session of the General Assembly, who hosted a high-level thematic debate on progress towards the Millennium Development Goals in April 2008, is part of this trend. It would be valuable for the Global Fund, as a key partner of the United Nations and its specialized agencies, to have the appropriate status to participate fully in this forum and thereby bring to the attention of the General Assembly the progress the Fund has recorded in contributing to the Millennium Development Goals.

18. Specialized agencies and United Nations funds and programmes are key operational partners for the Global Fund. The model of the Global Fund depends on these partnerships to achieve its agreed objectives. Being granted observer status in the General Assembly would boost the capacity of the Global Fund to collaborate with other United Nations agencies involved in global health and development and, hence, would allow the Global Fund to better fulfil its mandate.

19. The history of the Global Fund is inextricably linked to the United Nations, which played a key catalytic and convening role in the creation of the Global Fund. Against this background, the United Nations system clearly gave global legitimacy to the need for such a financial mechanism. The World Health Organization provided administrative hosting facilities to the Fund after its creation, through the Administrative Services Agreement between the Global Fund and WHO. With the scheduled termination of the Administrative Services Agreement by 31 December 2008, it has become necessary to establish an alternative organic link between the Global Fund and the United Nations system. Observer status for the Global Fund in the United Nations General Assembly would provide such a strong organic link.

20. The coverage and impact of the Fund is global, with $11 billion so far committed to prevention, treatment and care programmes in 136 countries. When the more than 40 countries that have contributed resources — some of them implementing countries as well — to the Global Fund are considered together with the implementing countries, the universality of the work of the Global Fund becomes clear: nearly 180 States Members of the United Nations are partners in the Global Fund, either as donors or as implementers of life-saving programmes funded

[3] The H8 includes the heads of the World Bank, the Global Fund, WHO, UNAIDS, UNICEF, the United Nations Population Fund, the Global Alliance on Vaccines and Immunization and the Bill and Melinda Gates Foundation.

by the Fund. This factor of the universality of the work of the Global Fund, together with others, makes observer status for the Global Fund in the General Assembly one that would contribute to the overall effectiveness of the Global Fund.

Address

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Annex II

Draft resolution submitted by the European Union

Observer status in the General Assembly for the Global Fund to Fight AIDS, Tuberculosis and Malaria

The General Assembly,

Wishing to promote cooperation between the United Nations and the Global Fund to Fight AIDS, Tuberculosis and Malaria,

1. *Decides to invite* the Global Fund to Fight AIDS, Tuberculosis and Malaria to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.